

Fiscal Estimate - 2009 Session

☒ Original
 ☐ Updated
 ☐ Corrected
 ☐ Supplemental

| | | |
|--|---|--------------------------|
| LRB Number 09-1477/2 | Introduction Number AB-0230 | |
| Description Electronic access by law enforcement agencies to photographs on motor vehicle operators licenses and identification cards | | |
| Fiscal Effect State: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations </div> <div style="width: 33%;"> <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues </div> <div style="width: 33%;"> <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <div style="text-align: center;"> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No </div> <input type="checkbox"/> Decrease Costs </div> </div> Local: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate <div style="display: flex;"> <div style="width: 50%;"> 1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 50%;"> 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> </div> <div style="display: flex;"> <div style="width: 50%;"> 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 50%;"> 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> </div> </div> <div style="width: 33%;"> 5.Types of Local Government Units Affected <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> Towns <input type="checkbox"/> Counties <input type="checkbox"/> School Districts </div> <div style="width: 33%;"> <input type="checkbox"/> Village <input type="checkbox"/> Others <input type="checkbox"/> WTCS Districts </div> <div style="width: 33%;"> <input type="checkbox"/> Cities </div> </div> </div> </div> | | |
| <div style="display: flex; justify-content: space-between;"> <div> Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS </div> <div> Affected Ch. 20 Appropriations </div> </div> | | |
| Agency/Prepared By DOJ/ Mark Rinehart (608) 264-9463 | Authorized Signature Mark Rinehart (608) 264-9463 | Date 7/15/2009 |

Fiscal Estimate Narratives

DOJ 7/15/2009

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|---|-----------|---------------------|---------|---------------|----------|
| LRB Number | 09-1477/2 | Introduction Number | AB-0230 | Estimate Type | Original |
| Description Electronic access by law enforcement agencies to photographs on motor vehicle operators licenses and identification cards | | | | | |

Assumptions Used in Arriving at Fiscal Estimate

Under current law, driver license and identification card photos maintained by the Department of Transportation (DOT) are generally confidential. One exception allows law enforcement agencies, upon written request to DOT, access to the photos for limited law enforcement purposes.

The Transaction Information for the Management of Enforcement (TIME) System is a computer-based data communications control center managed by the Department of Justice (DOJ). The control center computers interface law enforcement TIME System terminals to data files and provide the capability to send administrative messages between terminals. The mission of the TIME System is to facilitate the rapid and efficient exchange of factual information between law enforcement agencies.

Currently, when a law enforcement officer runs a "name search" through the TIME System, that officer has access to a number of records, including DOT driver records. Under Assembly Bill 230, DOT shall add digital driver license and identification card photos to those driver records available to DOJ's TIME System. DOJ's TIME System shall allow Wisconsin, federal, and other states' law enforcement agencies electronic access to the photos for the purpose of administration of criminal justice or traffic enforcement. DOJ shall maintain a record of each request by a law enforcement agency for a photograph and of the response to the request for at least 12 months. If the bill is enacted, it takes effect on the first day of the seventh month beginning after publication.

To comply with the provisions of AB 230, DOJ will have to make TIME System information delivery and database modifications. In the near term, to implement these changes, DOJ will need to: (1) modify the TIME and National Law Enforcement Telecommunications System (NLETS) handlers and (2) change the existing DOT response XML schema and create a new DOT driver schema. These projects will require development, testing, and implementation, as well as coordination with DOT.

If contractors are used to make the modifications identified above, DOJ estimates that contractor costs would be approximately \$85,000. The agency could absorb these costs by delaying implementation of other IT and/or TIME system-related projects that would otherwise be scheduled to occur within the biennium using contractors. While DOJ internal IT staff has the technical expertise to complete the modifications, it is estimated that existing resources could not do so within the time-period specified by the bill while managing other statutory or critical IT needs. DOJ estimates that it could use existing state personnel to complete the project internally if the time period for compliance were lengthened to 12 months, assuming DOT can make commensurate changes in a timely fashion.

The Department is also hopeful that federal funds will be made available to help offset some expected costs. The National Institute of Justice (NIJ), the research, development, and evaluation agency of the U.S. Department of Justice, recently awarded over \$1 million in federal grants to NLETS to promote and implement interstate driver photo sharing. NLETS is a nonprofit corporation chartered by the states and funded by user fees. NLETS is law enforcement's state-of-the-art criminal justice information sharing network. Wisconsin DOJ plans to apply to NLETS for a grant to cover the costs of implementing AB 230 as soon as additional federal grant dollars are made available to NLETS.

Long-Range Fiscal Implications

Adding digital driver license and identification card photos to the amount of information transmitted via the TIME System, and maintaining a record of each request by a law enforcement agency for a photograph and of the response to the request for at least 12 months, may exceed the system's data processing and storage capabilities. In simple terms, the administration of this bill will stress existing data processing, data storing, and web server processing hardware. The Department is currently approaching manufacturer recommended specifications for the devices used to process related transactions. Absent new hardware, it is reasonable to

expect that adding additional stress to systems approaching capacity, at a minimum, will negatively affect processing speed.

As a result, the implementation of this bill may require the Department to accelerate the need to purchase hardware to process and store the increased levels of data which the administration of AB 230 will require. Related hardware and software purchases are estimated to be \$159,000. At some point, these purchases will be required regardless of whether this bill is enacted and thus are not directly assignable to the bill in full. The bill's enactment, however, will accelerate the need to make these hardware purchases.

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| Fiscal Effect | | | |
| State: | | | |
| <input type="checkbox"/> No State Fiscal Effect | | | |
| <input checked="" type="checkbox"/> Indeterminate | | | |
| <input type="checkbox"/> Increase Existing Appropriations | | <input type="checkbox"/> Increase Existing Revenues | |
| <input type="checkbox"/> Decrease Existing Appropriations | | <input type="checkbox"/> Decrease Existing Revenues | |
| <input type="checkbox"/> Create New Appropriations | | <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget | |
| | | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| | | <input type="checkbox"/> Decrease Costs | |
| Local: | | | |
| <input checked="" type="checkbox"/> No Local Government Costs | | | |
| <input type="checkbox"/> Indeterminate | | | |
| 1. <input type="checkbox"/> Increase Costs | | 3. <input type="checkbox"/> Increase Revenue | |
| <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | | <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | |
| 2. <input type="checkbox"/> Decrease Costs | | 4. <input type="checkbox"/> Decrease Revenue | |
| <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | | <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | |
| 5. Types of Local Government Units Affected | | | |
| <input type="checkbox"/> Towns | | <input type="checkbox"/> Village <input type="checkbox"/> Cities | |
| <input type="checkbox"/> Counties | | <input type="checkbox"/> Others | |
| <input type="checkbox"/> School Districts | | <input type="checkbox"/> WTCS Districts | |
| Fund Sources Affected | | | |
| <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS s. 20.395 (5) (cq) | | | |
| Affected Ch. 20 Appropriations | | | |
| Agency/Prepared By | | Authorized Signature | |
| DOT/ Richard Kleist (608) 266-1449 | | Julie Johnson (608) 267-3703 | |
| | | Date | |
| | | 5/22/2009 | |

Fiscal Estimate Narratives

DOT 5/22/2009

| | | |
|---|------------------------------------|-------------------------------|
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Assumptions Used in Arriving at Fiscal Estimate

BILL SUMMARY

- Requires DOT to make available to the Department of Justice any photo (image) taken for a driver license or identification card.
- Requires the Department of Justice (DOJ) to make the image available to law enforcement agencies through their TIME system.
- The image must be in a digital format.
- The image must be available to the DOJ within 30 days of capture.

ASSUMPTIONS

DMV's image database is stored on a unique server separate from other DMV data (such as vehicle and driver records) currently accessible to DOJ. The server is maintained by DMV's license and identification card contractor, L1. Driver license and identification card photos (images) are accessible through a software interface provided by LI, access within DMV is restricted.

In order to provide electronic access a system will have to be developed to:

- Process the query received from DOJ's TIME system.
- Use that query to perform a search of the image database.
- Procure the digital image from the database
- Transmit the digital image via TIME to DOJ to disseminate to the requestor.
- Resolve any firewall and secure ID issues.

Alternatively, a server could be set up at DOJ to house a copy of the image database. A system would need to be developed to allow L1 to periodically update that server with new images at least every 30 days.

CONCLUSION

The entire cost of system development is indeterminable. DMV internal computer programming alone is estimated to cost in excess of \$78,200. Costs for system development for L1 have not been determined. DOT will need to work with DOJ and L1 to develop a solution to meet all the technical requirements of this proposal.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2009 Session

Detailed Estimate of Annual Fiscal Effect

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| LRB Number 09-1477/2 | Introduction Number AB-0230 | | | | | | |
| Description Electronic access by law enforcement agencies to photographs on motor vehicle operators licenses and identification cards | | | | | | | |
| I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): DMV internal computer programming alone is estimated to cost in excess of \$78,200. Costs for system development for L1 have not been determined. | | | | | | | |
| II. Annualized Costs: | Annualized Fiscal Impact on funds from: | | | | | | |
| | Increased Costs Decreased Costs | | | | | | |
| A. State Costs by Category | | | | | | | |
| State Operations - Salaries and Fringes | \$ | | | | | | |
| (FTE Position Changes) | | | | | | | |
| State Operations - Other Costs | | | | | | | |
| Local Assistance | | | | | | | |
| Aids to Individuals or Organizations | | | | | | | |
| TOTAL State Costs by Category | \$ | | | | | | |
| B. State Costs by Source of Funds | | | | | | | |
| GPR | | | | | | | |
| FED | | | | | | | |
| PRO/PRS | | | | | | | |
| SEG/SEG-S | | | | | | | |
| III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.) | | | | | | | |
| | Increased Rev Decreased Rev | | | | | | |
| GPR Taxes | \$ | | | | | | |
| GPR Earned | | | | | | | |
| FED | | | | | | | |
| PRO/PRS | | | | | | | |
| SEG/SEG-S | | | | | | | |
| TOTAL State Revenues | \$ | | | | | | |
| NET ANNUALIZED FISCAL IMPACT | | | | | | | |
| | State Local | | | | | | |
| NET CHANGE IN COSTS | \$ | | | | | | |
| NET CHANGE IN REVENUE | \$ | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Agency/Prepared By</td> <td style="width: 40%;">Authorized Signature</td> <td style="width: 20%;">Date</td> </tr> <tr> <td>DOT/ Richard Kleist (608) 266-1449</td> <td>Julie Johnson (608) 267-3703</td> <td>5/22/2009</td> </tr> </table> | | Agency/Prepared By | Authorized Signature | Date | DOT/ Richard Kleist (608) 266-1449 | Julie Johnson (608) 267-3703 | 5/22/2009 |
| Agency/Prepared By | Authorized Signature | Date | | | | | |
| DOT/ Richard Kleist (608) 266-1449 | Julie Johnson (608) 267-3703 | 5/22/2009 | | | | | |